

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In RE:

TASHA MARIE MCKENZIE)	
Debtor)	
PEOPLES NATURAL GAS COMPANY,)	BANKRUPTCY CASE NO. 20-20364
LLC)	
Movant,)	MOTION NO.
vs.)	CHAPTER 13
TASHA MARIE MCKENZIE, and RONDA)	
J. WINNECOUR, ESQUIRE, Trustee)	
Respondents.)	

**MOTION FOR ALLOWANCE OF ADMINISTRATIVE CLAIM, TO
REQUIRE PAYMENT OF ADMINISTRATIVE EXPENSE AND
FOR ADDITIONAL ADEQUATE ASSURANCE OF PAYMENT**

AND NOW comes Peoples Natural Gas Company, LLC, by and through its attorneys, S. James Wallace, P. C., a professional corporation, and moves this Honorable Court to allow its administrative claim, require the Debtor to pay administrative expense and provide additional adequate assurance of payment, and in support thereof represents as follows:

1. This Motion is filed pursuant to a case under Title 11, United States Code.
2. Peoples Natural Gas Company, LLC, hereinafter referred to as "Movant", is a public utility duly authorized to conduct business in the Commonwealth of Pennsylvania and is a party in interest in the above matter.
3. Respondents are parties in interest under the provisions of the Bankruptcy Code.
4. On or about January 31, 2020, Debtor filed a Petition for Relief under Chapter 13 of the United States Bankruptcy Code.

5. Upon the filing of the Petition, the Peoples Natural Gas Company, LLC opened a post petition account for the Debtor for utility service provided to the Debtor's residence.

6. Since the date upon which the Petition was filed in this case, the Debtor has failed or refused to pay the monthly charges for utility service as and when they become due.

7. As of the anticipated hearing date on this Motion, Debtor has or will become delinquent in the amount of \$589.93. This amount represents the account balance of \$589.93 for service through July 2, 2020.

8. The purposes of the Bankruptcy Code and the best interests of all parties are not served if the Debtor is permitted to incur a new delinquent account post petition.

9. Movant is entitled to Relief from Stay for cause, as a result of the Debtor's failure to pay his or her post petition debts as set forth herein.

10. The termination of utility service however, would render the Debtor's residence uninhabitable, and would adversely affect the health and safety of the Debtor and his or her dependents. Continued utility service is therefore absolutely necessary to the successful performance of the Debtor's Plan.

11. A true and correct copy of the current bill is incorporated herein by reference and attached hereto as Exhibit "A".

12. The Peoples Natural Gas Company, LLC has the right to demand payment in full of its administrative claim in the amount of \$589.93.

13. Given the Debtor's defaults in this case to date, the Movant has the right to demand additional adequate assurance of future payment. The best such assurance would be to require the Debtor to make the monthly budget payments through the Plan and the Chapter 13 Trustee.

14. The regular monthly budget payment required at this time to keep the account current is \$73.00, which should begin effective with the Trustee's distribution for September, 2020. The total plan payment amount including budget and arrearages is set forth in paragraph four (4) of the attached Order.

WHEREFORE, Movant requests this Honorable Court to enter an Order allowing the administrative claim(s) recited herein, and further to require the Debtor to pay his or her monthly budget payment through the Plan as further adequate assurance of payment.

Executed On 07/15/2020

S. JAMES WALLACE, P. C.
a professional corporation

By:

/s/S. James Wallace
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